

Town of Pawlet
Planning Commission Meeting
Monday, February 22, 2021 7:30pm
Meeting via Zoom platform

Members present:

Jessica Van Oort, Chairperson

John Sabotka, Vice Chairperson

Rik Sassa, Clerk/Secretary

Frank Nelson

Gary Baierlein

Mark Frost

Wayne Clark (alternate member)

Jonas Rosenthal, Pawlet/West Pawlet Zoning Administrator

Barbara Noyes Pulling, Rutland Regional Planning Commission

Allen Turner (public)

Members absent:

Tom Collard

Item 1. Call to Order:

Jessica Van Oort called the meeting to order at 7:31pm.

Item 2. Approval of Agenda Items- Review/Add/Delete:

Frank Nelson moved to approve the agenda. John Sabotka seconded the motion, all approved.

Item 3. Approval of minutes of previous meeting:

Frank moved to approve the minutes, John seconded, all approved.

Item 4. Zoning Administrator's Report- Jonas Rosenthal:

Jonas wanted to speak about non-commercial recreation and home occupation at a later meeting

Item 5. Rutland Regional Commission Report- Tom Collard:

Tom Collard was not present but sent in a brief report that the Rutland Regional Committee will not meet again until March.

Item 6. Discussion of Topics and On-going Business:

Jessica said that she met with Ed Bove. Ed said that two changes needed to be made to the by-laws. 1.) Accessory dwelling units need to be moved out of conditional use and into general regulation. 2.) An addition to the definition of multi-family dwellings needs to be made regarding adverse effects on the character of the area where the units would be.

Frank spoke about the lot size in West Pawlet. It was decided to address that issue at another time.

Jessica read the new state definition on accessory dwelling units that replaces existing by-law language. Therefore old accessory dwelling units are not being grandfathered in.

Another alteration is to update ADU (accessory dwelling units) definition in by-laws to match above changes.

The next topic was definition of "school". Jessica opened up the conversation to see if any changes needed to be made to the definition previously agreed upon but not made permanent. Frank had concerns regarding home schools and how they applied to the definition of school. John Sabotka thought that the home schooling piece should be left out. Frank indicated sections from the state that had criteria applied to what could be a school. The state limits the amount of additional children that can participate in another home schooler's home. Frank wondered if Ed Bove could shed light on when there is an event center for home schoolers (similar to the one being planned in West Pawlet). Jessica thought that if too many people were gathering together without meeting the state criteria for school then it would have to be seen as a commercial enterprise. Commercial schools can be regulated by the town. Wayne Clarke was concerned about too much restriction. Jessica read the definition of a commercial school. Jessica felt that if the school met the definition of a commercial school then the DRB would decide if a conditional use permit is to be granted. Frank was concerned that a small school approved by the DRB could grow and then continues on the same permit. Both Rik Sassa and Jessica commented that changes to any permit could happen and would then be subject to the zoning criteria and would need further permits, etc..

Frank thought that our definition of school should read simply: whatever is allowed by state law, including the permitting of, is allowed in Pawlet.

Wayne asked about the DRB's involvement in the most recent controversy over school and Slate Ridge. Gary Baierlien, who is on the DRB, explained that when a clear definition is not present then the DRB has to act according to what they think meets the character of the town.

The board agreed to retain the definition on schools commercial.

Frank noted that the state allows schools in every district and that schools can only be regulated by the state. Frank made a motion that Ed Bove's language be added to the draft. Gary seconded, all agreed.

Rik made a motion to approve the changes made to the by-laws. John seconded, all agreed.

The conversation turned to the Enhanced Energy Plan. Jessica showed the document with some edits previously made.

Frank had a couple of suggestions. Some grammatical changes were noted and some content issues discussed. Barbara Noyes Pulling helped with some of the language to make it coherent. Barbara also mentioned that the map that seems to be lacking at the end will be forthcoming.

Item 7. Public Comments:

There were no public comments.

Item 8. Old Business:

No old business was discussed.

Item 9. New Business:

No new business was discussed.

Item 10. Set Agenda for next meeting:

Call to Order 7:30 2. Approval of Agenda Items - Review/Add/Delete 7:31 3. Approval of minutes of previous meeting 7:33 4. Zoning Administrator's Report – Jonas Rosenthal 7:45 6. Rutland Regional Planning Commission Report – Tom Collard 8:00 7. Discussion of Topics & On-going Business 8:05 8. Public Comments 8:25 9. Old Business 8:35 10. New business 8: 45 11. Set Agenda for the next meeting 8:55 12. Adjournment 9:00

Item 11. Adjournment:

Gary made a motion to adjourn. Frank seconded, all agreed. Meeting adjourned 9:06pm.

Respectfully submitted by Rik Sassa, secretary/clerk